

Philadelphia Smoke-Free Legislation "The Clean Indoor Air Worker Protection Law"

Summary of Provisions

Current Law

Since the 1940s, the City of Philadelphia has prohibited smoking in many public places to protect the public's health and reduce the risk of fire. As early as 1943, the City adopted an ordinance prohibiting smoking in all public transit vehicles. This law has been amended several times over the years. Presently, pursuant to Section 10-602 of The Philadelphia Code, smoking is currently prohibited in:

- all public transportation vehicles and indoor areas of transit stations and terminals
- all retail stores designed for more than 30 patrons or more than 25 employees
- all places of public assembly with a capacity of more than 100 persons
- areas where smoking may constitute a fire hazard such as: piers, wharves, stores, schools and institutions. (§F-312.2 of the Philadelphia Fire Prevention Code)

Proposed Amendments

The proposed ordinance strengthens and expands the current law by requiring smoke-free environments in **all public places** including, but not limited to:

- retail and wholesale stores, service establishments, office buildings
- restaurants and bars, and all food or beverage establishments
- educational and vocational facilities
- licensed gaming facilities
- any city-owned or leased building
- health care facilities, child care facilities, and adult day care facilities
- lobbies, hallways and common areas of residential facilities
- hotels, motels and lodging establishments, including up to 75% of the sleeping quarters
- sports and recreational facilities
- theaters and performance spaces
- any workplace
- within 10 feet of any entrance to a building where smoking is prohibited

The only exceptions to the smoke-free requirements are for:

- 25% of sleeping quarters in hotels, motels and lodging establishments
- specialty tobacco establishments
- tobacco products distribution business

Effective Date:

- The new provisions would take effect six months after passage.

Councilman Michael Nutter (4th District) was the Prime Sponsor with 8 Co-Sponsors:

Councilman Frank Rizzo (At-Large) • Councilwoman Donna Reed Miller (8th)
Councilwoman Marian Tasco (9th) • Council President Anna Verna (2nd)
Councilman David Cohen (At-Large) • Councilman W. Wilson Goode, Jr. (At-Large)
Councilwoman Blondell Reynolds-Brown (At-Large) • Councilman Brian O'Neill (10th)